

TITLE 3

MUNICIPAL COURT¹

CHAPTER

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. WARRANTS, SUMMONSES AND SUBPOENAS.
4. BONDS.
5. FINES.

CHAPTER 1

CITY JUDGE

SECTION

- 3-101. City judge.
3-102. Jurisdiction.

3-101. City judge. The officer designated by the charter to handle judicial matters within the city shall preside over the city court and shall be known as the city judge.

3-102. Jurisdiction. The city judge shall have the authority to try persons charged with the violation of municipal ordinances, and to punish persons convicted of such violations by levying a civil penalty not to exceed \$500.

¹Charter reference
City Judge - City Court: § 6-4-301.

CHAPTER 2

COURT ADMINISTRATION

SECTION

3-201. Maintenance of docket.

3-202. Imposition of fines, penalties, and costs.

3-203. Disposition and report of fines, penalties, and costs.

3-204. Disturbance of proceedings.

3-205. Court costs.

3-201. Maintenance of docket. The city judge shall keep a complete docket of all matters coming before him in his judicial capacity. The docket shall include for each defendant such information as his name; warrant and/or summons numbers; alleged offense; disposition; fines, penalties, and costs imposed and whether collected; whether committed to workhouse; and all other information which may be relevant.

3-202. Imposition of fines, penalties, and costs. All fines, penalties, and costs shall be imposed and recorded by the city judge on the city court docket in open court. (as amended by Ord. #I-97, Feb. 13, 1997)

3-203. Disposition and report of fines, penalties, and costs. All funds coming into the hands of the city judge in the form of fines, penalties, costs, and forfeitures shall be recorded by him and paid over daily to the city. At the end of each month he shall submit to the board of mayor and aldermen a report accounting for the collection or noncollection of all fines, penalties, and costs imposed by his court during the current month and to date for the current fiscal year.

3-204. Disturbance of proceedings. It shall be unlawful for any person to create any disturbance of any trial before the city court by making loud or unusual noises, by using indecorous, profane, or blasphemous language, or by any distracting conduct whatsoever.

3-205. Court costs. The amount of court costs for each count, or infraction which is heard in the Municipal Court of Elkton, Tennessee shall be and is hereby set at one hundred twenty-five dollars (\$125.00). (as added by Ord. #I-97, Feb. 13, 1997, and amended by Ord. #IV-00, Nov. 2000, Ord. #4, Nov. 2005, and Ord. #7, July 2006)

CHAPTER 3

WARRANTS, SUMMONSES AND SUBPOENAS

SECTION

3-301. Issuance of arrest warrants.

3-302. Issuance of summonses.

3-303. Issuance of subpoenas.

3-301. Issuance of arrest warrants.¹ The city judge shall have the power to issue warrants for the arrest of persons charged with violating municipal ordinances.

3-302. Issuance of summonses. When a complaint of an alleged ordinance violation is made to the city judge, the judge may in his discretion, in lieu of issuing an arrest warrant, issue a summons ordering the alleged offender personally to appear before the city court at a time specified therein to answer to the charges against him. The summons shall contain a brief description of the offense charged but need not set out verbatim the provisions of the municipal code or ordinance alleged to have been violated. Upon failure of any person to appear before the city court as commanded in a summons lawfully served on him, the cause may be proceeded with ex parte, and the judgment of the court shall be valid and binding subject to the defendant's right of appeal.

3-303. Issuance of subpoenas. The city judge may subpoena as witnesses all persons whose testimony he believes will be relevant and material to matters coming before his court, and it shall be unlawful for any person lawfully served with such a subpoena to fail or neglect to comply therewith.

¹State law reference

For authority to issue warrants see Tennessee Code Annotated, title 40, chapter 6.

CHAPTER 4

BONDS

SECTION

3-401. Driver's license in lieu of bail bonds.

3-401. Driver's license in lieu of bail bonds. Any person arrested for violation of any municipal ordinance or state statute except those for which revocation of operator's license is mandatory may have the option of depositing his chauffeur's or operator's license with the officer or court demanding bail in lieu of any other security required for his appearance in any court of the municipality or county in answer to such charge before the court. In the event a person charged hereunder elects to deposit his driver's license with the officer or court demanding bail, as hereinabove described, said officer or court shall issue said person a receipt for said license upon a form approved or provided by the Department of Safety, and thereafter said person shall be permitted to operate a motor vehicle upon the public highways of this state during the pendency of the case in which the license was deposited.

The clerk or judge of a court accepting the license shall thereafter forward to the Department of Safety the license of a driver deposited in lieu of bail if the driver fails to appear in answer to the charge filed against him, and which license shall not be released by the Department of Safety until the charge for which such license was deposited has been disposed of by the court in which pending. (See Tennessee Code Annotated, §§ 55-50-801 through 55-50-805.) (Ord. #1, 1977, Jan. 1977)

CHAPTER 5

FINES

SECTION

3-501. Fine for violations.

3-502. Cash bonds for violations.

3-501. Fine for violations. The fines assessed for these violations shall not exceed the following amounts:

Public Drunkness	\$100.00
Possession of Open Whiskey	\$ 50.00
Open Beer in Public	\$ 50.00
Disorderly conduct	\$100.00
Assault	\$100.00
Carrying Deadly Weapons	\$100.00
Resisting Arrest	\$100.00
Failure to Appear in Court	\$100.00
Violation of Beer Ordinance	\$ 50.00
Violation of Registration Law	\$100.00
Leaving the Scene of an Accident	\$100.00
All Moving Traffic Violations	\$ 50.00
Shoplifting	\$100.00
Destruction of Property	\$100.00
Violation of Safety Equipment Law	\$100.00
Improper Parking	\$100.00
Speeding	\$ 50.00
All Other Violations Not specifically mentioned	\$100.00

(as added by Ord. #III-00, Nov. 2000)

3-502. Cash bonds for violations. The cash bonds to be made and posted by persons arrested by officers of the City of Elkton shall be as follows:

Public Drunkness	\$ 125.00
Possession of Open Whiskey	\$ 65.00
Open Beer In Public	\$ 65.00
Disorderly Conduct	\$ 125.00
Assault	\$ 125.00
Carrying Deadly Weapons	\$ 125.00
Resisting Arrest	\$ 125.00
Failure to Appear in Court	\$ 125.00
Violation of Beer Ordinance	\$ 65.00
Violation of Registration Law	\$ 125.00
Leaving the Scene of an Accident	\$ 125.00

All Moving Traffic Violations	\$ 65.00
Shoplifting	\$ 125.00
Destruction of Property	\$ 125.00
Violation of Safety Equipment Law	\$ 125.00
Improper Parking	\$ 125.00
Speeding	\$ 65.00
All Other Violations Not Specifically Mentioned	\$ 125.00

(Ord. #II-83, May 1983, as amended by Ord. #III-87, July 1987, and renumbered and amended by Ord. #III-00, Nov. 2000)